

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

RAYMOND LIZANA

PLAINTIFF

VS.

CAUSE NO: 1:08CV501-LTS-MTP

STATE FARM FIRE AND CASUALTY COMPANY

DEFENDANT

**MOTION OF THE DEFENDANT, STATE FARM FIRE AND CASUALTY
COMPANY, FOR ADDITIONAL TIME TO RESPOND TO PLAINTIFF'S
MOTION [93] TO COMPEL 30(b)(6) DEPONENT AND 30(b)(2)
DOCUMENTS WITH PLAINTIFF'S INCORPORATED MEMORANDUM
IN SUPPORT**

Comes now the defendant, State Farm Fire and Casualty Company, and moves the Court for additional time in which to respond to Plaintiff's Motion [93] to Compel to Compel 30(b)(6) Deponent and 30(b)(2) Documents with Plaintiff's Incorporated Memorandum in Support.

1. Plaintiff's filed the instant motion [93] to compel on December 30, 2009. Accordingly, State Farm Fire's response is currently due on January 13, 2010.
2. The motion [93] to compel encompasses a dispute between the parties as to the proper scope of a Rule 30(b)(6) deposition of the defendant, State Farm Fire. Plaintiff argues as to the propriety of fifty-one separate topics for the 30(b)(6) designee and three separate requests for production of documents.
3. The motion encompasses a wide array of potential additional documents and information.
4. State Farm Fire requests additional time to respond to the motion. State Farm Fire does not request time for the purpose of delay. The length and complexity of the motion is described above. Further, the instant motion is the fifth substantial motion to compel filed by plaintiff in the above-styled case in the time period from December 10, 2009, to December 30,

2009. The others are documents 74, 76, 84, and 87 on the Court's docket.

5. Counsel for the plaintiff has filed the same or substantially the same five motions to compel in two other civil actions being handled by counsel for State Farm Fire: *Marion S. Lebon, et al v. State Farm Fire and Casualty Company*, Civil Action Number 1:08cv509-LTS-RHW and *New Light Baptist Church v. State Farm Fire and Casualty Company*, Civil Action Number 1:08cv560-HSO-RHW. Although State Farm Fire has been directed not to file responses the two above-listed cases, counsel is still handling pending motions to strike the motions to compel.

WHEREFORE, PREMISES CONSIDERED, the defendant, State Farm Fire and Casualty Company, requests the Court grant additional time until January 25, 2009, in which to file a response to the motion. Given the straightforward nature of the instant motion, State Farm Fire requests to be excused from the L.U.CIV.R. 7 requirement of submitting a memorandum of law.

Respectfully submitted,

STATE FARM FIRE AND CASUALTY
COMPANY

HICKMAN, GOZA & SPRAGINS, PLLC
Attorneys at Law
Post Office Drawer 668
Oxford, MS 38655-0668
(662) 234-4000

BY: /s/ H. Scot Spragins
H. SCOT SPRAGINS, MSB # 7748

CERTIFICATE OF SERVICE

I, H. SCOT SPRAGINS, one of the attorneys for the Defendant, STATE FARM FIRE & CASUALTY COMPANY, do hereby certify that I have on this date electronically filed the foregoing document with the Clerk of Court using the ECF system which sent notification of such filing to all counsel of record.

DATED, January 12, 2010

/s/ H. Scot Spragins

H. SCOT SPRAGINS

H. SCOT SPRAGINS, MSB # 7748
HICKMAN, GOZA & SPRAGINS, PLLC
Attorneys at Law
Post Office Drawer 668
Oxford, MS 38655-0668
(662) 234-4000